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India: Treatment of Christians who have converted from Hinduism; whether there are instances of forced conversion from Christianity to Hinduism; information on state protection for those who are mistreated for being Christian or converting to Christianity

Research Directorate, Immigration and Refugee Board of Canada, Ottawa

1. General Situation of Christians in India

According to the 2001 Indian census, Christians in India numbered more than 24 million and constituted 2.3 percent of the total population (India n.d.). In comparison, the same 2001 census revealed that Hindus, the largest religious group in India, numbered more than 827 million and formed 80.5 percent of the population (ibid.). According to an article written by the Director of the Asian Centre for Human Rights (ACHR), the Christian population, as a proportion of the total Indian population, has remained stable since India gained its independence in 1947, consistently around 2.5 per cent (ACHR 25 Jan. 2012).

According to the United States (US) Department of State's *International Religious Freedom Report July-December 2010*, Christians may be found throughout the country, but are more concentrated in the northeast sections of the country (US 13 Sept. 2011, Sec. 1). In particular, Christianity is the majority religion in the northeast states of Nagaland, Mizoram, and Meghalaya (ibid.; India n.d.). According to the 2001 Indian census, Christians also form significant portions of the total population in the states and unified territories of Manipur (34.0%), Goa (26.7%), Andaman and Nicobar Islands (21.7%), Kerala (19.0%), and Arunachal Pradesh (18.7%) (ibid.). The US *Religious Freedom Report* also indicates that there is a sizable Christian population in Tamil Nadu (US 13 Sept. 2011, Sec. 1).

Christians are recognized under the 1992 *National Commission for Minorities Act* as one of five officially acknowledged minority communities, alongside Muslims, Sikhs, Parsis (Zoroastrians) and Buddhists (India 1993, Sec. 1; US 13 Sept. 2011, Sec. 1). According to the ACHR director, Christians in India have historically come from smaller ethnic groups that were previously animists rather than from the larger religious groups within the country (ACHR 25 Jan. 2012).

2. Scheduled Castes and Scheduled Tribes

According to the US *Religious Freedom Report*, members of the scheduled castes (SC) and scheduled tribes (ST) converted to Hinduism from other religions in an attempt to escape discrimination and obstacles to "social advancement" (US 13 Sept. 2011, Sec. 1). Scheduled castes (SC) are also known as Dalits (ibid.; CSW n.d.). Christian Solidarity Worldwide (CSW), an human rights organization based in the United Kingdom which monitors religious freedom internationally and advocates for mistreated Christians, explains that "[a]lthough the caste system exists to some extent within every religious group, conversions are traditionally seen by Dalits (formerly 'untouchables') as a means of emancipation from the identity imposed upon them by their caste" (ibid.). Scheduled tribes (ST), also known as the Adivasi, are tribal groups that are seen as the original indigenous inhabitants of India (MRG n.d.). Minority Rights Group International (MRG) reports that "a large number" of Christians come from the Adivasi and Dalit groups (July 2010, 119). In correspondence sent to the Research Directorate, the National President of the Global Council of India Christians stated that "most" Christians in the country are from a scheduled-caste background (24 Jan. 2012).

The GCIC national president refers to members of the scheduled castes as "social outcasts" (GCIC 24 Jan. 2012). MRG reports that "because, of their social standing, [Christians from the Adivasi and Dalit groups] are already among the poorest and most marginalized groups" (MRG July 2010, 119). The *Religious Freedom Report* states that "[s]ome who converted from a desire to escape discrimination and violence encountered hostility and backlash from conservative sections of Hindu society" (US 13 Sept. 2011, Sec. 1). The GCIC national president states that places are reserved in educational institutions and government employment for members of the scheduled castes, but that Christians are not eligible for these reserved places (GCIC 24 Jan. 2012). However, the national president indicated that Christians who are part of the scheduled tribes have access to the same benefits as other STs (ibid.). According to the National President, the ST Christians are mostly found in northeastern states, although "small pockets" of ST Christians are also present in other areas of India (ibid.).

3. Presence of Hindu Fundamentalists

According to Minority Rights Group International, "religious chauvinism" has increased in India in recent years, as seen through the growth of religious fundamentalist political parties (MRG Dec. 2008). MRG expresses concern that "this poses a threat to future communal relations" (ibid.). MRG also notes that "India's official discourse of equal rights for all religious minorities has increasingly been translated into the will [of] the Hindu majority" (ibid.).

In particular, sources indicate the existence of a fundamentalist Hindu nationalist movement in India (AICC 31 Jan. 2012; CSW 25 Jan. 2012; *The Guardian* 19 Jan. 2011; Freedom House 2010). In correspondence sent to the Research Directorate, the South Asia team leader of Christian Solidarity Worldwide explained that:

Proponents of the ideology of Hindu nationalism, or Hindutva (a political ideology, not to be confused with Hinduism as a religion), take the view that citizens of India are naturally Hindus, by virtue of being Indian. They perceive Christians and Muslims to be loyal to "foreign" religions which have no place in India. (25 Dec. 2012)

The GCIC national president likewise states that Hindu fundamentalists attempt to portray Christianity as a "foreign religion" (24 Jan. 2012). Similarly, according to an interview with a priest active in India, which was published in MRG's *State of the World's Minorities and Indigenous Peoples 2010*, the groups that are members of this fundamentalist movement target religious minorities and "portray Christians as not being in the mainstream, as not loving India" (MRG July 2010, 119).

A fundamentalist Hindu group that causes concerns for observers is Rashtriya Svayamsevak Sangh (RSS) (GCIC 24 Jan. 2012; *The Guardian* 19 Jan. 2011; MRG July 2010, 119). The GCIC national president states that the members of RSS "have become a formidable force today and they want to change the map of India and its culture and religious beliefs" (GCIC 24 Jan. 2012). According to British newspaper the *Guardian*, the members of the RSS "incite and perpetrate violence against Muslim and Christian minorities" (19 Jan. 2011). The National President of GCIC stated that their "main intention is to have one nation with one religion, Hinduism" (24 Jan. 2012). Sources indicate that the Bharatiya Janata Party (BJP) is seen as the political wing of the RSS nationalist Hindu movement (GCIC 24 Jan. 2012; 1 *The Guardian* 9 Jan. 2011). The GCIC national president indicated that states in which the BJP is prominent, Orissa, Madhya Pradesh and Karnataka states in particular, are those where Christians are more likely to be mistreated (GCIC 24 Jan 2012). A representative of the All India Christian Council (AICC), an association of Christians groups that monitors the treatment of Christians in India, likewise noted Christians were more likely to be subjected to mistreatment in states governed by the BJP (31 Jan. 2012).

4. Treatment of Christians

Sources report that Christians in India may face mistreatment (AICC 31 Jan. 2012; GCIC 24 Jan. 2012; MRG July 2010, 118-119). Christians may be subject to intimidation (AICC 31 Jan. 2012; MRG July 2010, 117), threats, discrimination (ibid., 119), and attacks (AICC 31 Jan. 2012). The GCIC national president stated that apart from "some upper caste converts mainly in some of the southern states," the majority of those converted to Christianity in India, who mainly come from scheduled castes,

are always treated with contempt and derision, and even prevented from sharing/drawing water from common wells in the villages. Social boycott by the Hindus, both upper castes and even the lower castes themselves, is quite common in the villages since they are always regarded as the deserters of a great religion. (GCIC 24 Jan. 2012)

In correspondence sent to the Research Directorate, the representative of the AICC said that "attacks and mistreatment have become more organized and systematic" over the years (31 Jan. 2012).

4.1 Violence

Sources report that Christians are subject to violence from Hindu groups (AICC 31 Jan. 2012; CSW 23 Jan. 2012; US 13 Sept. 2011, Sec. 3). According to the US *Religious Freedom Report*, Hindu extremists allegedly

disrupted prayer meetings, destroyed or damaged places of worship,

vandalized property, assaulted pastors and lay persons, confiscated and destroyed religious material, and attempted to intimidate Christians from attending religious services, sometimes in the presence of police. (US 13 Sept. 2011, Sec. 3)

Sources report that Christians may be at greater risk in Orissa, Madhya Pradesh and Karnataka (GCIC 24 Jan. 2012; CSW 23 Jan. 2012; US 13 Sept. 2011, Sec. 3), Chhattisgarh, Andhra Pradesh, and Maharashtra (CSW 23 Jan. 2012; US 13 Sept. 2011, Sec. 3), Gujarat and Rajasthan states (CSW 23 Jan. 2012). The CSW South Asia team leader specified that there had been "a notable rise in episodes of anti-Christian violence in Karnataka state" in recent years (ibid.). The CSW South Asian team leader also stated that there had been "two outbreaks of extremely severe and widespread violence against the Christian community in Orissa state, one at the end of 2007 and the other in 2008" (ibid.). MRG explained that "[i]n 2008, Hindu extremist groups targeted Christians in Orissa, in attacks that lasted for 45 days, in which a nun was raped, 81 people lost their lives, 50,000 were rendered homeless, 147 churches burnt down and more than 4,000 houses destroyed" (MRG, July 2010, 119).

MRG reports that there were 152 attacks against Christians in 2009, 86 of which occurred in southern states, notably in Karnataka, with 48 incidents, and Andhra Pradesh, with 29 cases (MRG July 2010, 117). According to the US *Religious Freedom Report*, the Indian Ministry of Home Affairs' 2009-2010 annual report indicated that there were "76 incidents of Hindu-Christian violence in 2009, which resulted in two deaths and 44 injuries, compared to 44 deaths and 82 injuries in 2008" (US 13 Sept. 2011, Sec. 3). The GCIC national president stated there were nearly 50 incidents in Karnataka, approximately 25 in Orissa and 15 in Madhya Pradesh in 2011 (24 Jan. 2012).

The GCIC national president also stated that, apart from the northeast states where Christians were a majority, occasional attacks against Christians occur throughout the country (24 Jan. 2012). He further explained:

The rural areas seem to be a little more vulnerable since the Christians are scattered in small groups over large areas and they can be easier targets in the rural areas than in the urban, though incidents of attacks and arson occur practically everywhere. (GCIC 24 Jan. 2012)

For his part the CSW South Asia team leader stated:

Attacks can take place in both rural and urban (though usually economically disadvantaged or slum) areas. However, because the Christian community is spread across nearly all of India, in relatively small pockets, there is at least some risk everywhere they exist, including in the principal cities. (23 Jan. 2012)

5. Treatment of Christians who Have Converted from Hinduism

According to the US *Religious Freedom Report*, "[c]onversion of Hindus or members of lower castes to Christianity remained highly sensitive and occasionally resulted in assaults and/or arrests of Christians" (US 13 Sept. 2011, Sec. 3). The report explains that there are state-level anti-conversion laws in force in Gujarat, Orissa, Chhattisgarh, Madhya Pradesh, and Himachal Pradesh (US 13 Sept. 2011, Sec. 2). According to the ACHR director, these anti-conversion laws were specifically enacted to target Christian missionaries (25

Jan. 2012). However, corroborating information regarding this statement was not found among the sources consulted by the Research Directorate. According to the AICC representative, Christians were more likely to be subjected to mistreatment in states where anti-conversion laws are enforced (31 Jan. 2012). The CSW South Asia team leader explained that "many, if not most" of the acts of violence against Christians are

justified with reference to conversions (i.e., that the Christians involved are "converting people" or that they are "carrying out conversion activities" which are deemed harmful to Hindu society), and there is no doubt that Hindus who have converted to Christianity can often be targets of violence (CSW 25 Jan. 2012).

The US *Religious Freedom Report* similarly states that

Hindu nationalist organizations frequently alleged that Christian missionaries lured low caste Hindus in impoverished areas with offers of free education and health care, and these organizations equated such actions with forced conversions. (US 13 Sept. 2011, Sec. 3)

6. Instances of Forced Conversions from Christianity to Hinduism

Sources report that Christians may face forcible conversion to Hinduism (AICC 31 Jan. 2012; CSW 23 Jan. 2012; MRG July 2010, 117; GCIC 24 Jan. 2012). The CSW South Asia team leader explained that

[a] mechanism for "re-converting" non-Hindus has existed within Hinduism (specifically within the Hindu nationalist movement, which views all citizens of India as fundamentally Hindu) since the early twentieth century, and forcible conversions of Christians to Hinduism have taken place in various areas. (23 Jan. 2012)

The GCIC national president explained that "in the Hindi belt like [Madhya Pradesh] and Orissa, this going back is popularly known as 'Ghar Vapasi' and in Karnataka it is called 'Marali Manege' both meaning the same as going 'back home'" (24 Jan. 2012). The GCIC national president added that there have been notable cases of forced conversions in Orissa, Madhya Pradesh and Karnataka in particular (GCIC 24 Jan. 2012). The CSW South Asia team leader also stated that "[f]orced conversions of Christians to Hinduism are known to have taken place in Orissa in the context of the 2008 communal violence and its aftermath" (CSW 23 Jan. 2012). The AICC representative similarly indicated that the anti-Christian violence in Orissa was centred on the issue of forced conversion (31 Jan. 2012). The representative added that cases of reconversion were also found in the states of Madhya Pradesh and Chhattisgarh (AICC 31 Jan. 2012).

7. State Protection

Sources note that freedom of religion is constitutionally guaranteed in India (US 13 Sept. 2011, Sec. 2; Freedom House 2010; MRG Dec. 2008). However, the US Commission on International Religious Freedom placed India on its watch list in 2009, citing its failure to adequately protect religious minorities and a growing "culture of impunity" for those who commit religious attacks (US Aug. 2009, 1-2; see also Freedom House 2010). According to the US *Religious Freedom Report*, "[t]he government provides minorities strong official legal

protection, although at times its weak law enforcement, lack of trained police, and overburdened court system played a role in not addressing communal tensions as swiftly as possible" (US 13 Sept. 2011, Sec. 2). The AICC representative stated that the *Religious Freedom Report* also adds that "[d]espite the national government's rejection of Hindutva (Hindu nationalism), a few state and local governments continued to be influenced by Hindutva" (ibid.).

According to the CSW South Asia team leader,

There are theoretical avenues of recourse for Christian victims of violence, but these often do not work effectively. The support and protection received by Christians is variable, and depends on a wide range of factors. It is very rare for cases of anti-Christian violence to be prosecuted effectively and for the perpetrators to be brought to justice. In some cases, police side with the perpetrators and may even file cases against the victims. Most commonly, police fail to follow proper procedure or simply do not investigate attacks. (23 Jan. 2012)

The AICC representative likewise states that

in some States such as those governed by the BJP, the police tend to do very little for cases of anti-Christian attacks, and in many of these cases they take the side of the attackers and unconvincingly reprimand and imprison the victims of such hate crime. Though there are laws in place, the implementation of the laws in many cases does not happen and hence many times the victims are denied justice. (31 Jan. 2012)

The US *Religious Freedom Report* also states that

there were also reported incidents in which police arrested Christians assaulted by others rather than arresting the attackers. In Chhattisgarh, Karnataka, Madhya Pradesh, Maharashtra, and Orissa, Christians claimed that authorities filed false charges of conversion by force and allurement and charged that the police were biased in registering complaints, doing so promptly only when the accused was a Christian. (US 13 Sept. 2011, Sec. 3)

8. Support Services

According to the GCIC national president, mistreated Christians

can turn for recourse or protection to the constitutional bodies like the National Human Rights Commission (NHRC), at the all India level and the State Human Rights Commissions at the state level. They are invested with independent and immense powers to deal with all the erring departments and officials. They have their own methods of inquiring and investigation. And most of these commissions are also manned by committed personnel and men of integrity. Their decisions are also respected and feared by all concerned. (24 Jan. 2012)

Conversely, the CSW South Asia team leader states:

The National Human Rights Commission (NHRC) and the equivalent bodies which exist in all states theoretically offer another avenue of redress, but they also often fail to deliver (23 Jan. 2012)

However, both the CSW South Asia team leader and the GCIC national president agree that the National Commission for Minorities (NCM) and its equivalent state bodies, which are supposed to provide support to minority groups, are ineffective (CSW 23 Jan. 2012; GCIC 24 Jan. 2012).

With regards to protection and recourse offered to mistreated Christians by non-governmental organizations (NGOs), the CSW South Asia team leader states that

India has many NGOs and a vibrant civil society, and Christians can turn to a variety of Christian NGOs such as the All India Christian Council, Evangelical Fellowship of India and a handful of others for specific assistance. There are also numerous small NGOs, such as Anhad, which work on broad issues affecting religious minorities, although they are not always able to take up individual cases. These NGOs are effective but limited in capacity. (23 Jan. 2012).

The AICC representative also stated that organizations and groups to which Christians could turn often did not have the ability to assist them (31 Jan. 2012). For his part, the GCIC national president states:

With regard to the NGOs in the country there are a number of such bodies who try to do their bit for the amelioration of the suffering by the affected Christians. Two such bodies are the Peoples Union for Civil Liberties (PUCL), and Peoples Union for Democratic Rights (PUDR), which try to investigate the incidents and publish the facts and mobilize public opinions against the culprits. They are also headed by eminent judges who are known for their integrity and commitment to the cause. (24 Jan. 2012)

This Response was prepared after researching publicly accessible information currently available to the Research Directorate within time constraints. This Response is not, and does not purport to be, conclusive as to the merit of any particular claim for refugee protection. Please find below the list of sources consulted in researching this Information Request.

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Additional Sources Consulted

Oral Sources: Release International did not provide information within the time constraints of this Response. Attempts to contact the Evangelical Fellowship of India were unsuccessful.

Internet sites, including: Amnesty International; Asian Human Rights Commission; Australia Refugee Review Tribunal; European Country of Origin Information Network; Evangelical Fellowship of India; Factiva; Forum 18; Human Rights Watch; Minorities at Risk; Release International; United Kingdom Home

Office, United Nations Refworld.

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